

JEFFERSON COUNTY COMMISSIONERS  
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
July 10, 2007**

**Present:** Commissioners Lythgoe, Notbohm and Weber; Joe Carter, Road Supervisor; Mike Hoffman and Harold Stepper, County Planners; Kellie Doherty, Personnel Officer; Matt Johnson, County Attorney; Craig Doolittle, County Sheriff; Tara Mastel, JLDC; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Charles Baraby, Barry and Jeanie Dobler, Patsy Walker, John Burns, John Zulke

**MINUTES**

Commissioner Lythgoe moved to adopt the minutes of June 19. Commissioner Notbohm seconded. The motion carried.

**REPORTS**

Receipt of June Clerk and Recorder fees report.

**CALENDAR REVIEW**

- 7/10 Meeting with Elkhorn Goldfields and residents of Elkhorn - 7:00
- 7/11 Tour of solid waste sites with safety coordinator - 10:00
- 7/12 Tri-Co Fire - Helena - 9:00
- Elkhorn Working Group - 2:00
- Solid Waste board budget meeting - 6:00
- Library Board - Whitehall - 6:30
- 7/13 Pre-construction meeting for South Hills RID project - 9:00

**COMMISSION REPORTS**

**HEADWATERS**

Commissioner Weber reported that he attended a meeting at Headwaters the previous day to discuss the summer planning retreat and coordinate speakers.

**POWERLINE PROJECT**

Commissioner Weber reported that he met with Dee Anna and Celia Wolny the previous day  
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regarding their questions and concerns with the powerline project.

#### GREAT WEST ENGINEERING

Commissioner Weber reported that the Commissioners met with Bill Lloyd of Great West Engineering that morning regarding the South Hills RID. A pre-construction meeting will be held on Friday. Bill also presented several task orders.

#### MONTANA CITY FIRE DEPARTMENT

Commissioner Weber reported that the Commissioners met with the Montana City Volunteer Fire Department and their attorney that morning. He thinks that it was a fairly good meeting, and they all agreed to revisit the Ridgeview subdivision in two weeks. Commissioner Lythgoe stated that as final plat approval has already been granted, they need to understand that the developer cannot be required to do anything extra.

#### ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

Joe Carter, Road Supervisor, stated that he is coming before the Commission on behalf of a family with a road issue. This family is being denied access to their property from McClellan Creek Road. The family is only in the area for a short period of time, and come here periodically to maintain the family cemetery. Research is currently being done, but they don't know if it will be completed before it is time for them to leave. Commissioner Lythgoe asked if they have looked at plats and information in the Clerk and Recorder's office. Joe stated that they have, and they are also waiting on some additional information from Broadwater County. Commissioner Notbohm asked Joe if the people who closed the road were notified that this was going to be discussed. Joe stated that they hadn't been, due to the short notice. The Doblers will only be here for another week, and they want to know if they will be able to access their property.

Barry Dobler stated that he owns 4.3 acres in Mitchell Gulch off of McClellan Creek Road, which contains a family cemetery where his great-grandfather, a Civil War veteran, is buried. The person who purchased the BLM property in 2004 is not allowing access and has put up no trespassing signs. He has called and spoken to the new owner, but they will not allow him access. Bill Foster also owns some adjoining land, and will allow him access across his property this time, but the road is very rough and he is not able to get his trailer up the road. Commissioner Weber asked if the deed states an easement. Barry stated that the survey map shows an easement, but they are still researching the legals. Commissioner Lythgoe asked if they have talked to the BLM; if the easement was recorded when the land was sold. Barry stated that a family friend has talked to them; both BLM and FWP maps show the easement.

Commissioner Weber asked how long the family has owned the property. Barry stated that his great-grandfather served in the Civil War, and the land has been in the family since the 1860s. They come out here every couple of years to take care of the cemetery. Commissioner Lythgoe noted that they have been able to get in this year and service the cemetery, and asked if they would like the Commission to get this resolved before next year, noting that it would be difficult to do so in the next week.

Commissioner Notbohm asked if the property is a mining claim. Barry stated that he believes that it is; his grandfather mined and homesteaded there. It was suggested that Barry leave his contact information with Joe, so that he can be working on this.

Charles Baraby stated that he has been involved with the family since 1943, when he was adopted by the family. He has been helping maintain the cemetery for 50 years. The road is no longer truly open, being a two-track at this time. There have been signs of vandalism at the cemetery, and one monument was shot with a high-powered rifle and had to be replaced. He would like to thank the County for its help, and stated that the people in the courthouse are incredible. Commissioner Notbohm stated that the Commission can't make a decision at this time, but it seems obvious that this is a public road.

## **CORRESPONDENCE**

Commissioner Lythgoe stated that the Commission has received several task orders from Great West Engineering. The task orders are as follows:

Task Order 12 - Clark Creek Estates. The homeowners association has approached the Commission regarding forming a RID/RMD. This task order is capped at \$6,000.

Task Order 13 - Big Dipper Drive. This is for preliminary work on a RID/RMD, and is capped at \$3,000.

Task Order 14 - Road Standards revisions. Capped at \$1,000.

Task Order 15 - Bernice Road EPA Action Plan. This is capped at \$5,000, but has the potential to be much higher. The County may need to sue the Forest Service and Job Corps over this.

Task Order 16 - 2007 Bridge Inventory. This will include preliminary engineering reports and the TSEP application, and is capped at \$30,000.

Task Order 17 - TSEP. Phase 1 & 2 \$46,200, Phase 3 \$5,000, Phase 4 \$34,100 and Phase 5 \$12,800.

## **SUBDIVISION REVIEW**

### **FINAL PLAT APPROVAL - LUPINE LANE MINOR SUBDIVISION**

Mike Hoffman, County Planner, presented his staff report for this subdivision, just a mile south of Clancy. The parcel consists of 23.79 acres, to be divided into five lots ranging in size from 4.70 to 4.99 acres. Mike recommended that final plat approval be granted.

Commissioner Lythgoe stated that he got involved to a degree when the County was between road supervisors, so he is a little more familiar with the roads than on most subdivisions. The developers are to be commended for the amount of work they did to the roads to bring them up to county standards. Commissioner Lythgoe moved to grant final plat approval. Commissioner

Notbohm seconded. The motion carried.

#### FINAL PLAT APPROVAL - BURNS/LaFEVER MINOR SUBDIVISION

Mike presented his staff report for this one lot split seven miles north of Basin. There are no new roads in the subdivision, as each lot will have access directly off of Basin Creek Road. Mike recommended that final plat approval be granted. Commissioner Lythgoe moved to grant final plat approval. Commissioner Notbohm seconded. The motion carried.

#### DISCUSS AND DECIDE ON REQUEST FROM JAMES JOHNSTON FOR THE COUNTY TO PURCHASE LOT 16 OF PRONGHORN HILLS MAJOR SUBDIVISION

Commissioner Weber read a letter from Ken Vivrette on behalf of James Johnston requesting that the County purchase lot 16 of his subdivision. He contended that the lot is now unable to be sold due to changes to highway 282. Harold Stepper, County Planner, stated that this was a request that Ken brought in to him after a phone conversation with Mr. Johnston. A 120-foot right-of-way was dedicated by the developer, and Holmes Gulch was extended by MDT. Because of this, lot 6 became much less than an acre. With lot 16, he can't see that the lot has been made much smaller. He believes the problem is that kids are going into the water house, opening the hoses and 4-wheeling in the mud. Commissioner Lythgoe stated that when they negotiated for the purchase of lot 6, the developer made no mention of this lot. Commissioner Notbohm asked if the County purchased any right-of-way from the developer. Harold stated that we did not. This lot is basically a hole now, the engineer having dug dirt out for fill to meet county road standards. Commissioner Notbohm stated that they made a mess and now want the county to pay for it. Commissioner Notbohm moved to deny the request to purchase lot 16 of the Pronghorn Hills subdivision. Commissioner Lythgoe seconded. The motion carried.

#### ITEMS FOR COMMISSIONERS ACTION OR REVIEW

##### APPOINT BOARD MEMBERS

Commissioner Lythgoe moved to appoint Candice Bell to the northern metal mines grant and loan committee. Commissioner Notbohm seconded. The motion carried.

Commissioner Lythgoe moved appoint Susan Haran to the Fair Board. Commissioner Notbohm seconded. The motion carried.

##### SIGN UNION CONTRACTS

Kellie Doherty, Personnel Officer, stated that there have been minor changes to both contracts. The biggest issue was longevity, which will now begin at five years and then continue indefinitely. The Teamsters union agreed to this immediately, while the courthouse union needed some convincing. The contracts also provide for a cost of living increase of 3.2% for the next two years.

Commissioner Lythgoe moved to accept the contracts with Teamsters and the courthouse unions. Commissioner Notbohm seconded. The motion carried.

##### SIGN CONTRACT FOR CREBs APPLICATION

Commissioner Weber stated that the Commission has previously voted to contract with Matney-

Frantz to complete and submit a CREBs application. The county will pay \$1000 for the application submittal. Other engineering firms were contacted, but none were interested. Matt asked if this obligates the county at all. Commissioner Weber stated that there will also be up to \$5000 for due diligence, most of which has already been done. Matt asked if the County is recommended for a grant, if we are obligated to use Matney-Frantz for the engineering. Commissioner Weber answered not that he is aware of, though he understands that they would like to be. He noted that of the thirty counties awarded in the first round, none have been able to move forward. Commissioner Notbohm stated that he has read several stories warning that caution is needed. Commissioner Weber stated that this is why the work at Golden Sunlight is important. We have years of wind data, the ability to go in-line and developers are looking at the Whitehall site for just this type of project. Tara Mastel, JLDC, noted that there is a transformer site there and several large power users in the area. Commissioner Lythgoe stated that he is really not all that hot on this project, as others haven't been very successful. However, for \$1000, it is worth a shot.

#### APPROVE ROCKIN' THE RIVERS LARGE GROUP FUNCTION PERMIT

John Zulke presented the permit application to the Commission. Commissioner Lythgoe asked if the Sheriff or Sanitarian have seen the application. John stated that they haven't. Commissioner Lythgoe suggested that Craig and Megan need to review the document. They left to find Craig and review the document with him.

#### DECIDE ON AN AGREEMENT BETWEEN MSU EXTENSION SERVICE, JLDC AND THE COUNTY TO WORK ON ECONOMIC AND COMMUNITY DEVELOPMENT

Commissioner Lythgoe moved to enter into the MOU between MSU, JLDC and the County. Commissioner Notbohm seconded. Matt stated that this isn't something that came out of the blue; this should have happened years ago. He commends Commissioner Notbohm for pushing to get this done. He feels that it is necessary and proper to adopt this MOU. Commissioner Weber stated that he would add his gratitude and appreciation to all who served on the Ad Hoc committee. The motion carried, and the MOU was signed.

#### RESOLUTION 19-2007 RECOGNIZING JLDC AS THE ECONOMIC DEVELOPMENT ENTITY FOR JEFFERSON COUNTY

The following resolution was presented for signature:

#### **A Joint Resolution of**

**Jefferson County, Montana  
County Resolution Number 19-2007**

#### **And**

**Jefferson Local Development Corporation  
Resolution Number**

A Resolution Recognizing the Jefferson Local Development Corporations as the County's Economic Development Entity.

A. WHEREAS funding for economic development activities in counties impacted by hard rock mining activities has been provided for in Section 15-37-117, MCA; and

B. WHEREAS the Jefferson County Commission has, together with the Montana State University Extension Service, provided for a full-time economic and community development extension agent for Jefferson County; and

C. WHEREAS Jefferson County Commissioners, on January 10, 1995, created by Resolution 6-95, an Economic Development Task Force to address the issue of economic development in Jefferson County; and

D. WHEREAS the Jefferson County Commission recognizes its need for a non-profit entity to secure funds for economic development in Jefferson County; and

E. WHEREAS the Jefferson County Commission in August 1998 moved and passed unanimously a motion to disband the Economic Development Task Force and authorize the creation of the Jefferson Local Development Corporation (JLDC).

F. WHEREAS the JLDC/Jefferson County Ad Hoc Group has met and formulated this resolution as well as a Memorandum of Understanding between Jefferson County, the Jefferson Local Development Corporation and the Montana State University.

Now, therefore, be it resolved as follows:

1. The JLDC shall include one Jefferson County Commission member on its board of directors. The JLDC shall set its own agenda, shall operate according to its own articles of incorporation and bylaws as a nonprofit corporation and in accordance with Federal, State and County laws.

2. The JLDC shall recommend to the County Commissioners proposed policies and procedures and projects for the expenditure of that portion of metalliferous mines license taxes allocated to Jefferson County for planning or economic activities under Section 15-37-117 (i)(d) (ii)(A), MCA.

3. The Economic and Community Development Extension Agent for Jefferson County shall provide professional staffing for JLDC and shall oversee county support staff in keeping official records of the JLDC's activities.

Further:

4. The JLDC shall have no authority whatsoever, whether actual, implied or ostensible without written agreement by the Jefferson County Commission to:

(a) Obligate Jefferson County in any manner;

(b) Enter into any contract or agreement binding upon Jefferson County;  
(c) Incur any indebtedness or financial obligation on behalf of Jefferson County or binding upon Jefferson County, other than for the reasonable and necessary expenses and within its authorized operating budget; or,

(d) Make any statement or representation, binding upon Jefferson County, or engage in any conduct or activity tantamount to any such statement or representation.

5. Meetings and Records: All meetings of the JLDC shall be public meetings according to state law regarding non-profit organizations and the Montana Open Meetings Law. Records of the JLDC shall be public records and shall be subject to public inspection. **However, personal, proprietary or confidential information provided to JLDC by clients is excluded from disclosure to protect the privacy of JLDC clients as determined by JLDC.**

6. Reporting: The JLDC shall submit to the Jefferson County Commission a report of its activities and financial records at least quarterly by electronic file download. Further, a Memorandum of Understanding has been developed between JLDC, Jefferson County, and Montana State University Extension Service which provides for the release and distribution of JLDC financial records, audit reports, planned and current activities of JLDC and delineates funding.

Dated this 10<sup>th</sup> day of July, 2007.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

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**JEFFERSON LOCAL DEVELOPMENT  
CORPORATION**

Commissioner Lythgoe moved to adopt the resolution. Commissioner Weber seconded. The motion carried.

**RESOLUTION 16-2007 CALLING FOR THE SALE OF BONDS FOR THE SOUTH HILLS**

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RID

The following resolution was submitted for approval:

RESOLUTION 16-2007

RESOLUTION RELATING TO \$783,000 RURAL SPECIAL  
IMPROVEMENT DISTRICT NO. 2503 BONDS;  
AUTHORIZING THE ISSUANCE AND CALLING FOR THE  
PUBLIC SALE THEREOF

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Jefferson County, Montana (the "County"), as follows:

Section 1. Recitals.

(a) This Board has duly and validly created and established in the County under Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"), a rural special improvement district, designated as Rural Special Improvement District No. 2503 (the "District"), for the purpose of financing the costs of certain public improvements of special benefit to the properties within the District (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of special improvement district bonds of the County drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the County's Rural Special Improvement District Revolving Fund (the "Revolving Fund") and the funding a deposit to a reserve account securing the Bonds in the District fund (the "Reserve Account"). The estimated costs of the Improvements, including such incidental costs, to be financed by the District are \$783,000. The costs of the Improvements, including incidental costs, are to be paid from the proceeds of the Bonds, which are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefitted by the Improvements in an amount not less than \$783,000.

(b) The County is authorized by Montana Code Annotated, Section 7-12-4204(1) to sell the Bonds at a price less than the principal amount thereof, but including interest thereon to the date of delivery, if this Board determines that such sale is in the best interests of the District and the County.

(c) It is necessary that the Bonds be issued and sold in an aggregate principal amount of \$783,000 to finance the costs of the Improvements, including incidental costs, described in Subsection (a). The total costs of the Improvements and incidental costs are currently estimated as follows:

Construction	\$513,813.00
Preliminary Engineering and Planning	11,000.00
Contingency	39,605.00
County Administration	14,846.00



Engineering Design/Construction Mgmt	87,348.00
Revolving Fund Deposit	39,150.00
District Reserve Account	35,235.00
Underwriter's Discount (2.0%)	15,660.00
Costs of Issuance and Miscellaneous	<u>26,343.00</u>
Total	\$783,000.00

Section 2. Determination of Public Interest in Allowing Bond Discount. Pursuant to the authority described in Section 1, this Board hereby determines to fix the minimum price for the Bonds at \$767,340 (98.0% of par) plus interest accrued thereon to the date of delivery. Such minimum bid will enable bidders to bid more efficiently for the Bonds by permitting them to submit their bids based on actual market conditions without adjusting the interest rates thereon to provide compensation for their purchase of the Bonds. This procedure will facilitate the sale of the Bonds at the lowest interest rates, which is in the best interests of the District and the County.

Section 3. Findings and Determination to Pledge the Revolving Fund. In the Resolution of Intention to Create the District, adopted on July 25, 2006, this Board found it to be in the public interest, and in the best interest of the County and the District, to secure payment of principal of and interest on the Bonds by the Revolving Fund and authorized the County to enter into the undertakings and agreements authorized in the Act in respect of the Bonds, based on the factors required to be considered under Section 7-12-2185 of the Act. Those findings and determinations were ratified and confirmed in the resolution creating the District, adopted by this Board on September 5, 2006, and are hereby ratified and confirmed. It is hereby covenanted and recited that the County has the power under the Act to pledge the Revolving Fund and Reserve Account to payment of the principal of and interest on the Bonds.

Section 4. Terms of the Bonds. This Board hereby authorizes the issuance and sale of the Bonds, to be denominated "Rural Special Improvement District No. 2503 Bonds," of the County in the aggregate principal amount of \$783,000 (the "Bonds") for the purpose of financing the Improvements. The Bonds shall be dated, as originally issued, as of August 1, 2007, and shall bear interest payable semiannually on January 1 and July 1 of each year, commencing January 1, 2008, at a rate or rates designated by the successful bidder at public sale and approved by this Board; provided that no rate of interest shall exceed 6.50% per annum, the difference between the highest and lowest rates of interest shall not exceed 3.50% per annum, no supplemental or "B" coupons or additional interest certificates shall be permitted and rates shall be expressed in integral multiples of 1/8 or 1/20 of one percent. The Bonds shall mature, subject to earlier redemption, on July 1 in each of the following years and amounts:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2008	\$28,000	2018	\$40,000
2009	25,000	2019	40,000
2010	25,000	2020	45,000
2011	25,000	2021	45,000
2012	30,000	2022	45,000

2013	30,000	2023	50,000
2014	30,000	2024	50,000
2015	35,000	2025	55,000
2016	35,000	2026	55,000
2017	35,000	2027	60,000

The Bonds shall be issuable only as fully registered bonds and shall be executed by the manual or facsimile signatures of the Chair of the Board of County Commissioners, the County Clerk and Recorder and the County Treasurer. The Bonds shall be secured by the Revolving Fund and the Reserve Account.

Section 5. Public Sale. All sealed bids for the Bonds shall be submitted to, or bids for the purchase of the Bonds shall be received by electronic transmission through Parity™ by, the County Clerk and Recorder, in either case on or before Tuesday, July 31, 2007, at 11:00 a.m., M.T. The bids received shall be considered at a regular meeting of the Board on the same day, whereupon the Board will consider the award of sale to the bidder whose bid results in the lowest true interest cost (TIC) payable on the bonds. The County will receive sealed bids or bids transmitted through Parity™ for the Bonds and the Bonds will be sold in accordance with the Official Terms and Conditions attached hereto as Exhibit A (which is hereby incorporated and made a part hereof). The County Clerk and Recorder is hereby authorized and directed to cause notice of the sale to be published, as required by Montana Code Annotated, Sections 7-12-2172, 7-7-4252 and 17-5-106, in the *Jefferson County Courier*, *Boulder Monitor*, *Whitehall Ledger*, and the *Helena Independent Record* once each week for two successive weeks preceding the week which contains the date of sale. The notice of sale shall be published in substantially the form set forth as Exhibit B to this resolution (which is hereby incorporated herein and made a part hereof) and this Board hereby adopts the terms and conditions set forth in such notice of sale as the terms and conditions of the sale of the Bonds.

Section 6. Preliminary Official Statement. The Chair, the County Clerk and Recorder, and the County Treasurer and other officers of the County, in cooperation with D.A. Davidson & Co., financial consultants to the County, are hereby authorized and directed to prepare on behalf of the County a preliminary official statement to be distributed to potential purchasers of the Bonds. Such preliminary official statement shall contain the Official Terms and Conditions and such other information as shall be advisable and necessary to describe accurately the County and the security for, and terms and conditions of, the Bonds. The County

Clerk and Recorder is authorized on behalf of the County to deem the preliminary official statement “near final” as of its date, in accordance with Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934.

Section 7. Continuing Disclosure. Although bidders and other participating underwriters in the primary offering of the Bonds need not comply with paragraph (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the “Rule”), because the aggregate principal amount of the Bonds and any other securities required to be integrated with the Bonds is less than \$1,000,000, to enhance

the marketability of the Bonds, the County will covenant and agree, for the benefit of the registered holders and beneficial owners from time to time of the outstanding Bonds, in the resolution prescribing the terms of the Bonds, to provide annual reports of specified information and notice of the occurrence of certain events, if material. The County and the Revolving Fund are the only "obligated persons" in respect of the Bonds within the meaning of the Rule for the purposes of disclosing information on an ongoing basis. A description of the undertaking is set forth in the Official Statement. Failure of the County to enter into an undertaking substantially similar to that described in the Official Statement would relieve the successful bidder of its obligation to purchase the Bonds.

Passed by the Board of County Commissioners of Jefferson County, Montana, this 10th day of July, 2007.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Lythgoe moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

**RESOLUTION 21-2007 SETTING SALARIES FOR ELECTED OFFICIALS**

Commissioner Weber read the resolution as follows:

**RESOLUTION 21-2007**

**SALARIES OF COUNTY OFFICIALS**

**WHEREAS**, the County governing body shall, by Resolution, on or before August 1 of each year, adjust and uniformly fix the salaries of the County Clerk and Recorder, County Treasurer, County Superintendent of Schools, County Sheriff, and Clerk of District Court based upon the recommendations of the County Compensation Board provided for in §7-4-2503 (4), MCA, and

**WHEREAS**, the Compensation Board has recommended the following:

- That the Clerk and Recorder be compensated for election duties in the amount of \$2,000.00.
- That the Clerk and Recorder be compensated an additional \$3,000.00 for assessor duties.
- That the Sheriff be compensated an additional \$4,900.00 for coroner duties.
- That the Elected Officials receive a 3.2% COLA increase on the base salary of FY 2006-2007 for the 2007-2008 fiscal year.

**NOW, THEREFORE, BE IT RESOLVED**, that the base salaries for the elected officials of Jefferson County for fiscal year 2006-2007 be established as follows:

County Clerk & Recorder/Assessor/Election Administrator	\$47,764.12 (plus existing longevity)
County Treasurer	\$47,764.12 (plus existing longevity)
Clerk of District Court	\$47,764.12 (plus existing longevity)
Superintendent of Schools - half time	\$23,882.06 (plus existing longevity)
County Sheriff/Coroner	\$47,764.12 (plus existing longevity)
County Commissioners	\$47,764.12 (plus existing longevity)
County Attorney	\$91,392.73 (plus existing longevity)

**BE IT FURTHER RESOLVED**, that the County Commissioners and the Sheriff shall receive an additional \$2000.00, and the Superintendent of Schools will receive an additional \$1,000.00 (as a half-time position) as provided by law. The State Department of Justice pays a portion of the County Attorney's salary.

**DATED** this 10<sup>th</sup> day of July, 2007.

**ATTEST:**

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**BONNIE RAMEY**

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**KEN WEBER, CHAIR**

**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Lythgoe moved to adopt the resolution. Commissioner Notbohm seconded, and asked how this is in line with District Judge. It was stated that it was below, per statute. Commissioner Lythgoe asked what state law says regarding salary versus the judge. Matt stated that the state will pay half of the County Attorney's salary, up to 85% of the judge's salary. The motion carried.

**RESOLUTION 22-2007 SETTING THE SALARY OF THE JUSTICE OF THE PEACE**

Commissioner Lythgoe read the resolution as follows:

**RESOLUTION 22-2007**

**SALARY OF THE JUSTICE OF THE PEACE**

**WHEREAS**, pursuant to §3-10-208, MCA, the Board of County Commissioners is required to set the salary for the Justice of the Peace by resolution; and

**WHEREAS**, §3-10-207, MCA requires that the salary of the Justice of the Peace be set at a level not less than the salary received by the District Clerk of Court; and

**WHEREAS**, §3-10-208, MCA, requires the office hours be designated by the Board of Commissioners by resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the Justice Court office shall be open for transaction business from 8:00 a.m. to 12:00 (noon) and from 1:00 p.m. to 5:00 p.m., every day of the year except holidays, Saturdays and Sundays.

**BE IT FURTHER RESOLVED** that the salary for the County Justice of the Peace for fiscal year 2007-2008 be set at \$47,764.12, plus existing longevity.

**DATED** this 10<sup>th</sup> day of July, 2007.

**ATTEST:**

**BONNIE RAMEY  
CLERK AND RECORDER**

**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to the adopt the resolution. Commissioner Notbohm seconded. The motion carried.

**RESOLUTION 23-2007 DISSOLVING THE SOUTH HILLS DRIVE RMD**

Commissioner Weber read the resolution as follows:

**RESOLUTION 23-2007**

**RESOLUTION TO DISSOLVE THE RURAL MAINTENANCE DISTRICT FOR  
SOUTH HILLS DRIVE, MONTANA CITY, MONTANA**

**WHEREAS**, Jefferson County has previously created a Rural Maintenance District for South Hills Drive in 2005; and

**WHEREAS**, Jefferson County has created a new Road Improvement District that addresses maintenance and improvements of South Hills Drive (RID 2505); and

**WHEREAS**, MCA 7-14-2902(4) provides for the dissolving of an improvement district; and

**WHEREAS**, the Jefferson County Board of Commissioners has received a request for dissolving the South Hills Drive Rural Maintenance District and any assets remaining shall be returned to the owners of property within the district.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to §7-14-2902, MCA, the Jefferson County Commission hereby passes this resolution dissolving the South Hills Drive Rural Maintenance District and that any remaining assets be distributed to the owners of property taxed from within the district in equal shares.

**DATED** this 10<sup>th</sup> day of July, 2007.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to adopt. Commissioner Lythgoe seconded, and asked if there is any idea of how much of a refund goes to each person in the district. Discussion followed. Commissioner Weber amended his motion to adopt the resolution and that any remaining assets be distributed to the owners of the property taxes from within the district in proportionate shares. Commissioner Notbohm seconded. The motion carried, with Commissioners Weber and Notbohm voting aye and Commissioner Lythgoe abstaining.

#### **LARGE GROUP FUNCTION PERMIT**

Craig Doolittle, County Sheriff, stated that in the past years he and Megan always had contact with the Commission on this. By his own admission, he has been telling the promoters for years that they need to do the application and then it will be reviewed. They usually get the application prior to it being presented to the Commission for approval however. Craig stated that he has been reviewing these applications for years, so he can see from a brief review that the application is complete. He has signed off on the application, but Megan still needs to review it. His recommendation is to approve the application with the caveat that he receives Megan's signature in a timely manner, and then he will sign off as the event coordinator.

Commissioner Lythgoe moved to approve the large group function permit, with the understanding that Megan needs to sign it and Craig needs to sign it as the events coordinator. Commissioner Weber seconded. Commissioner Lythgoe said to those putting on the concert, every year we do this, and every year there are problems. They need to get in here sooner. The motion carried.

Commissioner Lythgoe moved to adjourn. Commissioner Notbohm seconded. The motion carried.

#### **MEETING ADJOURNED**

#### **ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**